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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2013-207

**VICKI SNIDER-COLLINS
aka VICKI SUSAN SNIDER
aka VICKI SUSAN SNIDER-COLLINS
420 E 5th Street
Edmond, OK 73034**

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

Registered Nurse License No. 438363

RESPONDENT

FINDINGS OF FACT

1. On or about September 25, 2012, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2013-207 against Vicki Snider-Collins, aka Vicki Susan Snider, aka Vicki Susan Snider-Collins (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about March 31, 1989, the Board of Registered Nursing (Board) issued Registered Nurse License No. 438363 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2012, unless renewed.

3. On or about September 25, 2012, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2013-207, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and/Title 16, California Code of Regulation, section 1409.1, is required to be reported and maintained with the Board, which was and is:

420 E 5th Street, Edmond, OK 73034.

1 4. Service of the Accusation was effective as a matter of law under the provisions of
2 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
3 124:

4 5. On or about October 9, 2012, the signed Certified Mail Receipt was returned to our
5 office indicating a delivery date of September 28, 2012.

6 6. Business and Professions Code section 2764 states:

7 The lapsing or suspension of a license by operation of law or by order or decision of
8 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive
9 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
10 against such license, or to render a decision suspending or revoking such license.

11 7. Government Code section 11506 states, in pertinent part:

12 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
13 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation
14 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
15 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

16 8. Respondent failed to file a Notice of Defense within 15 days after service of
17 the Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation
18 No. 2013-207.

19 9. California Government Code section 11520 states, in pertinent part:

20 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
21 agency may take action based upon the respondent's express admissions or upon other evidence
22 and affidavits may be used as evidence without any notice to respondent.

23 10. Pursuant to its authority under Government Code section 11520, the Board after
24 having reviewed the proof of service dated September 25, 2012, signed by Brent Farrand, finds
25 Respondent is in default. The Board will take action without further hearing and, based on
26 Accusation No. 2013-207 and the documents contained in Default Decision Investigatory
27 Evidence Packet in this matter which includes:
28

- 1 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation No. 2013-207,
2 Statement to Respondent, Notice of Defense (two blank copies), Request
3 for Discovery and Discovery Statutes (Government Code sections
4 11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail
5 receipt or copy of returned mail envelopes;
- 6 Exhibit 2: License History Certification for Vicki Snider-Collins, aka Vicki Susan
7 Snider, aka Vicki Susan Snider-Collins, Registered Nurse License No.
8 438363;
- 9 Exhibit 3: Out of State Discipline (Oklahoma Board of Nursing);
- 10 Exhibit 4: Affidavit of Kami Pratab;
- 11 Exhibit 5: Declaration of costs by Office of the Attorney General for prosecution of
12 Case No. 2013-207.

13 The Board finds that the charges and allegations in Accusation No. 2013-207 are separately and
14 severally true and correct by clear and convincing evidence.

15 11. Taking official notice of Certification of Board Costs and the Declaration of Costs by
16 the Office of the Attorney General contained in the Default Decision Investigatory Evidence
17 Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that
18 the reasonable costs for Investigation and Enforcement in connection with the Accusation are
19 \$1,757.50 as of November 8, 2012.

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1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Vicki Snider-Collins, aka Vicki
3 Susan Snider, aka Vicki Susan Snider-Collins has subjected her following license(s) to discipline:

4 a. Registered Nurse License No. 438363.

5 2. The agency has jurisdiction to adjudicate this case by default.

6 3. The Board of Registered Nursing is authorized to revoke Respondent's license(s)
7 based upon the following violations alleged in the Accusation, which are supported by the
8 evidence contained in the Default Decision Investigatory Evidence Packet in this case.

9 a. Violation of Business and Professions Code section 2761(a) - Unprofessional
10 Conduct.

11 b. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary
12 action by another State Board of Nursing.

13 c. Violation of Business and Professions Code section 2762(b) - Use of controlled
14 substance or alcohol to an extent or in a manner dangerous or injurious to
15 oneself and others.

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 438363, heretofore issued to Respondent Vicki Snider-Collins, aka Vicki Susan Snider, aka Vicki Susan Snider-Collins is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on March 8, 2013.

It is so ORDERED February 8, 2013



Board of Registered Nursing
Department of Consumer Affairs
State of California

Attachment:

Exhibit A: Accusation No. 2013-207

Exhibit A

Accusation No. 2013-207

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 GREGORY TUSS
Deputy Attorney General
4 State Bar Number 200659
1515 Clay Street, 20th Floor
5 Post Office Box 70550
Oakland, California 94612-0550
6 Telephone: (510) 622-2141
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case Number **2013-207**

13 **VICKI SNIDER-COLLINS**
a.k.a. Vicki Susan Snider
14 a.k.a. Vicki Susan Snider-Collins
420 E 5th Street
Edmond, Oklahoma 73034

A C C U S A T I O N

15 **Registered Nurse License Number 438363**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Complainant Louise R. Bailey, M.Ed., R.N., brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
22 Department of Consumer Affairs.

23 2. On or about March 31, 1989, the Board issued Registered Nurse License Number
24 438363 to respondent Vicki Snider-Collins, a.k.a. Vicki Susan Snider, a.k.a. Vicki Susan Snider-
25 Collins. This registered nurse license was in full force and effect at all times relevant to the
26 charges brought in this Accusation and will expire on December 31, 2012, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 118, subdivision (b) provides:

"The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground."

5. Section 2750 provides:

"Every certificate holder or licensee, including licensees holding temporary licenses, or licensees holding licenses placed in an inactive status, may be disciplined as provided in this article [Article 3 of the Nursing Practice Act (Bus. & Prof Code, § 2700 et seq.)]. As used in this article, 'license' includes certificate, registration, or any other authorization to engage in practice regulated by this chapter. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein."

6. Section 2759 provides:

"The board shall discipline the holder of any license, whose default has been entered or who has been heard by the board and found guilty, by any of the following methods:

"(a) Suspending judgment.

"(b) Placing him upon probation.

"(c) Suspending his right to practice nursing for a period not exceeding one year.

"(d) Revoking his license.

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“(e) Taking such other action in relation to disciplining him as the board in its discretion may deem proper.”

7. Section 2764 provides:

“The lapsing or suspension of a license by operation of law or by order or decision of the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such license, or to render a decision suspending or revoking such license.”

STATUTORY AUTHORITY

8. Section 2761 provides, in pertinent part:

“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

“(a) Unprofessional conduct, which includes, but is not limited to, the following:

• • •

“(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.”

9. Section 2762 provides, in pertinent part:

“In addition to other acts constituting unprofessional conduct within the meaning of this chapter it is unprofessional conduct for a person licensed under this chapter to do any of the following:

...

“(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.”

1 **COST RECOVERY**

2 10. Section 125.3 provides, in pertinent part:

3 “(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary
4 proceeding before any board within the department . . . , upon request of the entity bringing the
5 proceedings, the administrative law judge may direct a licentiate found to have committed a
6 violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the
7 investigation and enforcement of the case.

8 . . .

9 “(i) Nothing in this section shall preclude a board from including the recovery of the costs
10 of investigation and enforcement of a case in any stipulated settlement.”

11 **FACTUAL BACKGROUND**

12 11. Respondent was a registered nurse in Oklahoma under license number R0078455.
13 On or about November 6, 2010, respondent reported for work at the Oklahoma University
14 Medical Center (OUMC) with the odor of alcohol on her person. She refused a drug test. She
15 was terminated from OUMC on or about November 10, 2010.

16 12. On or about November 29, 2010, respondent applied to the Oklahoma Board of
17 Nursing Peer Assistance Program to address her alcohol problem. She agreed to terms and
18 conditions of acceptance into the program, including body fluid testing and support group
19 attendance. She also admitted that same day during her intake assessment that on November 6
20 she “went to work 4 hours after [she] had been drinking.” She was accepted into the program on
21 or about November 30, 2010.

22 13. On or about August 11, 2011, respondent failed to submit to body fluid testing and
23 failed to attend a support group. At some point thereafter, she was reinstated back into the Peer
24 Assistance Program.

25 14. Respondent voluntarily withdrew from the Peer Assistance Program on or about
26 October 7, 2011, and voluntarily surrendered her Oklahoma nursing license to the Oklahoma
27 Board of Nursing on or about January 31, 2012. The Oklahoma Board of Nursing severely

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1 reprimanded respondent's license and deemed that the surrender constitutes disciplinary action by
2 that board.

3 **FIRST CAUSE FOR DISCIPLINE**
4 **Unprofessional Conduct – Out-of-State Disciplinary Action**
5 **(Bus. & Prof. Code, §§ 2761, subd. (a)(4))**

6 15. The allegations of paragraphs 11-14 are realleged and incorporated by reference as if
7 fully set forth.

8 16. Respondent has subjected her registered nurse license to disciplinary action for
9 unprofessional conduct under section 2761, subdivision (a)(4). As set forth in paragraphs 11-14
10 above, respondent surrendered her Oklahoma registered nurse license to that state's Board of
11 Nursing. That Board severely reprimanded respondent's license and deemed that the surrender
12 constitutes disciplinary action.

13 **SECOND CAUSE FOR DISCIPLINE**
14 **Unprofessional Conduct – Use of Alcoholic Beverage in a**
15 **Manner Dangerous or Injurious to Self or Public**
16 **(Bus. & Prof. Code, §§ 2761, subd. (a); 2762, subd. (b))**

17 17. The allegations of paragraph 11-14 are hereby realleged and incorporated by
18 reference as if fully set forth.

19 18. Respondent has subjected her registered nurse license to disciplinary action for
20 unprofessional conduct under section 2761, subdivision (a), as defined by section 2762,
21 subdivision (b). As set forth in paragraph 11-14 above, she used alcoholic beverages in a manner
22 dangerous or injurious to herself or the public by reporting for work at the OUMC with the odor
23 of alcohol on her person.

24 **PRAYER**

25 WHEREFORE, complainant requests that a hearing be held on the matters alleged in this
26 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

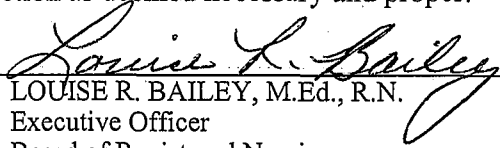
27 1. Revoking or suspending Registered Nurse License Number 438363 issued to Vicki
28 Snider-Collins, a.k.a. Vicki Susan Snider, a.k.a. Vicki Susan Snider-Collins;

///

1 2. Ordering Vicki Snider-Collins to pay the Board of Registered Nursing the reasonable
2 costs of the investigation and enforcement of this case, pursuant to Business and Professions
3 Code section 125.3; and

4 3. Taking such other and further action as deemed necessary and proper.

5 DATED: SEPTEMBER 25, 2012


LOUISE R. BAILEY, M.Ed., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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